

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL NO. 3:09CV25-RLV-DSC**

<b>EDWARD H. BYERS,</b>	)
	)
<b>Plaintiff,</b>	)
<b>vs.</b>	)
	)
<b>JANET NAPOLITANO, SECRETARY,</b>	)
<b>U.S. DEPARTMENT OF HOMELAND</b>	)
<b>SECURITY,</b>	)
	)
<u><b>Defendant.</b></u>	)

**ORDER**

**THIS MATTER** is before the Court upon the pro se Plaintiff's "Motion for Sanctions" (document #31) and Defendant's "Motion for Extension of Deadlines and Response to Request for Sanctions" (document #32).

Defendant correctly points out that the sole basis for Plaintiff's Motion for Sanctions is his disagreement with Defendant's previous Motions to Extend the pretrial deadlines pending disposition of Defendant's Motion to Dismiss (document #22). See documents ## 25 and 29. In each instance, the Court granted the requested extensions. See documents #26 and 30. Accordingly, Plaintiff's Motion for Sanctions is denied.

In her present Motion, Defendant seeks an order holding all pretrial deadlines in abeyance pending the issuance of a ruling on Defendant's Motion to Dismiss (document #22).

The Court concludes that in light of the pending Motion to Dismiss and the apparent difficulty that the parties are having communicating, it is appropriate to hold pretrial deadlines in abeyance pending the District Court's ruling on the Motion to Dismiss.

For these reasons and for the other reasons stated in Defendant's Motion and Response,

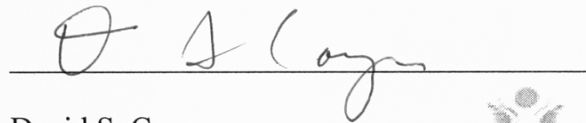
**IT IS ORDERED** that Plaintiff's "Motion for Sanctions" (document #31) is **DENIED** and Defendant's "Motion for Extension of Deadlines" (document #32) is **GRANTED**.

**IT IS FURTHER ORDERED** that all pretrial deadlines are **HELD IN ABEYANCE** pending resolution of the pending Motion to Dismiss (document #22).

The Clerk is directed to send copies of this Order to the pro se Plaintiff; to defense counsel; and to the Honorable Richard L. Voorhees.

**SO ORDERED.**

Signed: July 12, 2010

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer  
United States Magistrate Judge

